

REMARKS

Claims 1-20 remain for reconsideration.

Claims 1 and 16 have been objected to for omitting a comma after the word "base". Accordingly, a comma has been added.

Claim 9 has been rejected under 35 U.S.C. 112, first paragraph, as being non-enabled. This rejection is respectfully traversed. Figures 6 and 7 clearly show a plurality of U-shaped clips (201 and 202) positioned in series on a base. Further, paragraph [0026] of the application as filed discloses: *"Figure 7 shows an embodiment of the U-clip used to align components in an optical laser module. One skilled in the art will realize that numerous variations are possible. In this particular arrangement, a plurality of U-clips, 201 and 202, positioned in series on a common base is shown for aligning and holding two sleeves 212 and 213, as in Figure 6"* (emphasis added). Thus, the subject matter recited in claim 9 is clearly described in the specification as filed. However, for clarity, claim 9 has been amended to further recite "a plurality of U-shaped clips positioned in series on said base each comprising a first arm and a second arm" to flow better from claim 1.

Based on the above discussion, it is respectfully requested that this ground of rejection be withdrawn.

This being the only rejection to claim 9, it is submitted that this claim is directed to allowable subject matter.

Claims 1-8, 10-18, and 20 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 5,231,685 to Hanzawa.

Similarly, claim 19 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Hanzawa.

These rejections are respectfully traversed based on the following discussion.

Briefly, alignment of optical components to one another in 3-degrees of freedom is facilitated by a U-clip and a sleeve having an off-axis optical component running there through. As shown in Figures 1-3, a generally U-shaped clip comprises a base 111 a first arm 112 and a second arm 113 to form a channel . A generally cylindrical sleeve 124 fits within the channel with a fiber 123 or other optical component encased in the sleeve 124 and positioned off center 121 relative to a mechanical axis 122 of the sleeve 124. Alignment adjustments may be made by sliding the sleeve within the channel. Fine adjustments in the x and y plane may be made by rotating the sleeve as shown in Figures 4 and 5 owing to the off-center positioning of the fiber 123.

In making his rejection, the Examiner has set out a very broad reading

of Hanzawa and has not set forth a rejection with any particularity. Indeed, the Examiner has simply cited to “Figures 1-29” of Hanzawa. This is improper. 37 C.F.R. 1.104(c)(2) mandates that:

In rejecting claims for want of novelty or for obviousness, the examiner must cite the best references at his or her command. When a reference is complex or shows or describes inventions other than that claimed by the applicant, the particular part relied on must be designated as nearly as practicable. The pertinence of each reference, if not apparent, must be clearly explained and each rejected claim specified. (emphasis added)

Here the Examiner has done nothing more than cite to a few reference numerals that he analogizes to various recitations in Applicant’s claims. For example, the Examiner analogizes reference numeral “3” in Hanzawa as the claimed “generally U-shaped clip”. Figure 1 of Hanzawa shows reference numeral 3 to be the bottom half of an optical plug connector. Column 7, line 23 describes reference numeral 3 to be a “cover member” for the optical plug. The Examiner analogizes reference numerals 9 and 10 as being the claimed “channel to receive the cylindrical sleeve”. However, Figure 14B shows reference numerals 9 and 10 as being “clamping tubes” as part of a “strain relieving member or hood” 11. Finally, the Examiner analogizes the claimed “optical component positioned off center relative to a mechanical axis of said

cylindrical sleeve” as reference numeral 21. However, Figure 15 shows reference numeral 21 as being nothing more than a bundle of fibers and Figure 4 clearly shows that the fibers these fibers are not “off center”. Rather, once in the optical plug they are dead center.

With regard to the recitations of the claimed ridged and flexible arms and rotating or sliding a sleeve to change the x, y, and z coordinates of the optical component, the Examiner offers no evidence other than to suggest that these elements are present in Hanzawa. However, Hanzawa is directed to an unrelated optical plug connector and does not teach or suggest fine positioning of optical components as claimed.

Independent claim 1 recites “a generally U-shaped clip comprising a base, a first arm and a second arm to form a channel; a generally cylindrical sleeve to fit in said channel; and an optical component positioned off center relative to a mechanical axis of said cylindrical sleeve” (emphasis added).

Independent claim 11 recites “A method for aligning an optical component, comprising: positioning an optical component in a cylindrical sleeve a distance away from a mechanical axis of said cylindrical sleeve; and rotating said sleeve within a channel to adjust said optical component in a x direction and a y direction” (emphasis added).

Finally, independent claim 16 recites “A system for aligning optical components, comprising:...a first optical component positioned off center relative to a mechanical axis of said cylindrical sleeve; a second optical

component, said first optical component aligned in translation along one degree-of-freedom with said second optical component by rotating said sleeve and aligned in translation along the two remaining degree-of-freedom by sliding said sleeve in said U shaped clip" (emphasis added).

MPEP § 2131 mandates that "TO ANTICIPATE A CLAIM, THE REFERENCE MUST TEACH EVERY ELEMENT IN THE CLAIM". Furthermore, the MPEP, citing Richardson v. Suzuki Motor Co., 9 USPQ2d 1051, 1053 (Fed. Cir. 1987), states "[t]he identical invention must be shown in as complete detail as is contained in the... claim" (emphasis added).

It is therefore respectfully submitted that the rejections to the claims are improper under Section 102 as Hanzawa cannot anticipate the rejected claims since it does not "teach the identical invention". Further, since the above highlighted features are not taught or suggested, Hanzawa does not establish a case of *prima facie* obviousness under Section 103.

Based on the above discussion with reference to the MPEP guidelines, it is respectfully requested that the rejections based on 35 U.S.C. § 102 and 103 be withdrawn.

These being the only prior art rejections to claims it is respectfully requested that these claims be allowed.

Application No. 10/733,182
Amendment dated December 28, 2004
Response to Office Action of December 9, 2004

Atty. Docket No. 42P16455
Examiner: Chandrika Prasad
TC/A.U. 2839

In view of the foregoing, it requested that the application be reconsidered, that claims 1-20 be allowed and that the application be passed to issue. Please charge any shortages and credit any overcharges to Intel's Deposit Account number 50-0221.

Respectfully submitted,

Date: December 28, 2004

/Kevin A. Reif/

Kevin A. Reif
Reg. No. 36,381

INTEL
LF1-102
4050 Lafayette Center Drive
Chantilly, Virginia 20151
(703) 633-6834

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